

TOLEDO - LUCAS COUNTY PLAN COMMISSIONS

One Government Center, Suite 1620, Toledo, OH 43604 P: 419 245-1200 F: 419 936-3730

DATE: December 2, 2022

REF: V-507-22

TO: President Matt Cherry and Members of Council, City of Toledo

FROM: Toledo City Plan Commission, Thomas C. Gibbons, Secretary

SUBJECT: Vacation of Deer Park Court

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, December 1, 2022 at 2:00 P.M.

GENERAL INFORMATION

Subject

Request	-	Vacation of Deer Park Court
Applicants	-	Bill Thees General Partner Principal 1909 River Road Maumee, OH 43537
		George Oravec P.O. Box 38 Maumee, OH 43537

Site Description

Zoning	-	RM24 / Multi-dwelling Residential
Area	-	± 0.85 Acre
Frontage	-	± 80' along Manley Road
Dimensions	-	± 122' x 80'
Existing Use	-	Unused right-of-way
Proposed Use	-	Apartments

Area Description

North	-	RM24 / Vacant, Office
South	-	RM24 / Vacant
East	-	RD6 / Apartments
West	-	RM24 / Vacant

GENERAL INFORMATION (cont'd)

Parcel History

V-80-18	-	Vacate a portion of right of way adjacent to Manley Road, south of Garden Road. Approved by Ord. 372-18 on 09-11-2018.
Z-10001-03	-	Zone Change from R-A to C-2 at 6020 Manley Road. Approved by Ord. 768-07 on 11-27-2007.
Z-196-89	-	Zone Change from R-A to C-2 at 6060 and 6110 Manley Road. Approved by Ord. 1073-89.
Z-4009-22	-	Zone Change from CO to RM24 at 6038 Manley Road. Approved by Ord. 376-22.
SPR-39-22	-	Major Site Plan Review for multiple buildings on a lot for a multifamily development at 6038 Manley Road. <i>Companion Case</i> . (Not yet heard by PC).
S-10-22	-	Final Plat of the 2 nd Replay of Deer Park Business Center. <i>Companion Case</i> . (Not yet heard by PC).

Applicable Regulations

- Toledo Municipal Code, Part Eleven: Planning and Zoning
- Toledo 20/20 Comprehensive Plan

STAFF ANALYSIS

The applicant is requesting the vacation of Deer Park Court, which is located in the plat of the Deer Park Business Center. To the north, south, and west of Deer park Court are parcels owned by the applicant. The south and west parcels are vacant, and the northern portion is currently occupied by office buildings. Deer Park Court intersects with Manley Road to the east, across from which are multi-family apartments. Deer Park Court is a cul-de-sac which does not lead to any other public right-of-way. The applicant has requested the vacation as part of redevelopment effort to convert the former office park into multifamily apartments. A plat and site plan have been submitted for the proposed multi-family development, however these cases still require additional steps prior to being reviewed.

STAFF ANALYSIS (cont'd)

Upon vacation of right-of-way, a plat ensuring continued access for existing office buildings shall be required, as stated previously. Deer Park Court serves neither as a through-road, nor an access road for buildings with separate owners. Therefore, vacation shall not negatively impact traffic flow in the area and permit the construction of multi-dwelling units on the surrounding parcels. The vacation shall not result in the loss of access for the existing buildings.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this land for Office Commercial land uses. Staff understands the need for commercial office space has changed since the passing of the 20/20 Plan, and that the City of Toledo has identified a need for additional housing variety and affordability. Additionally, surrounding land uses include similar multi-family residential development.

PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommends approval of V-507-22, the request to Vacate Deer Park Court, to Toledo City Council for the following reason:

1. The proposed Vacation is compatible with the existing land uses within the general vicinity (TMC§1111.0606(B) – *Review & Decision-Making Criteria*); and,
2. The City and other service providers will be able to provide sufficient public safety, transportation, and utility facilities and services to the subject property while maintain sufficient levels of service to existing development (TMC§1111.0606(G) – *Review & Decision-Making Criteria*).

The Toledo City Plan Commission recommends approval of V-507-22, the request to vacate Deer Park Court subject to the following **five (5)** conditions:

The conditions of approval are as follows and listed by agency of origin. Applicants are encouraged to contact each of the agencies to address compliance with their conditions

Division of Engineering Services

1. If the existing public water mains in Deer Park Court are to remain, they shall become privately owned and the responsibility of the property owner to maintain.
2. All existing storm sewers in the area will become private and the responsibility of the property owner to maintain.
3. All existing sanitary sewers in the area will become private and the responsibility of the property owner to maintain.

PLAN COMMISSION RECOMMENDATION (cont'd)

Division of Transportation

4. Within the limits allowed by law, the applicant shall indemnify the City of Toledo, its officials, agents or employees, from any and all claims, demands, causes of action, suits, or liability in connection with the performance of any and all acts authorized for permitted under this vacation. Said indemnification language shall be contained within and evidenced by the endorsement on a certified copy of a final vacating legislation by the owner which indemnification shall be kept in the permanent file of the Clerk of Council.

Plan Commission

5. Upon vacation, a plat shall be recorded for the proposed development.

Respectfully Submitted,



Thomas C. Gibbons
Secretary

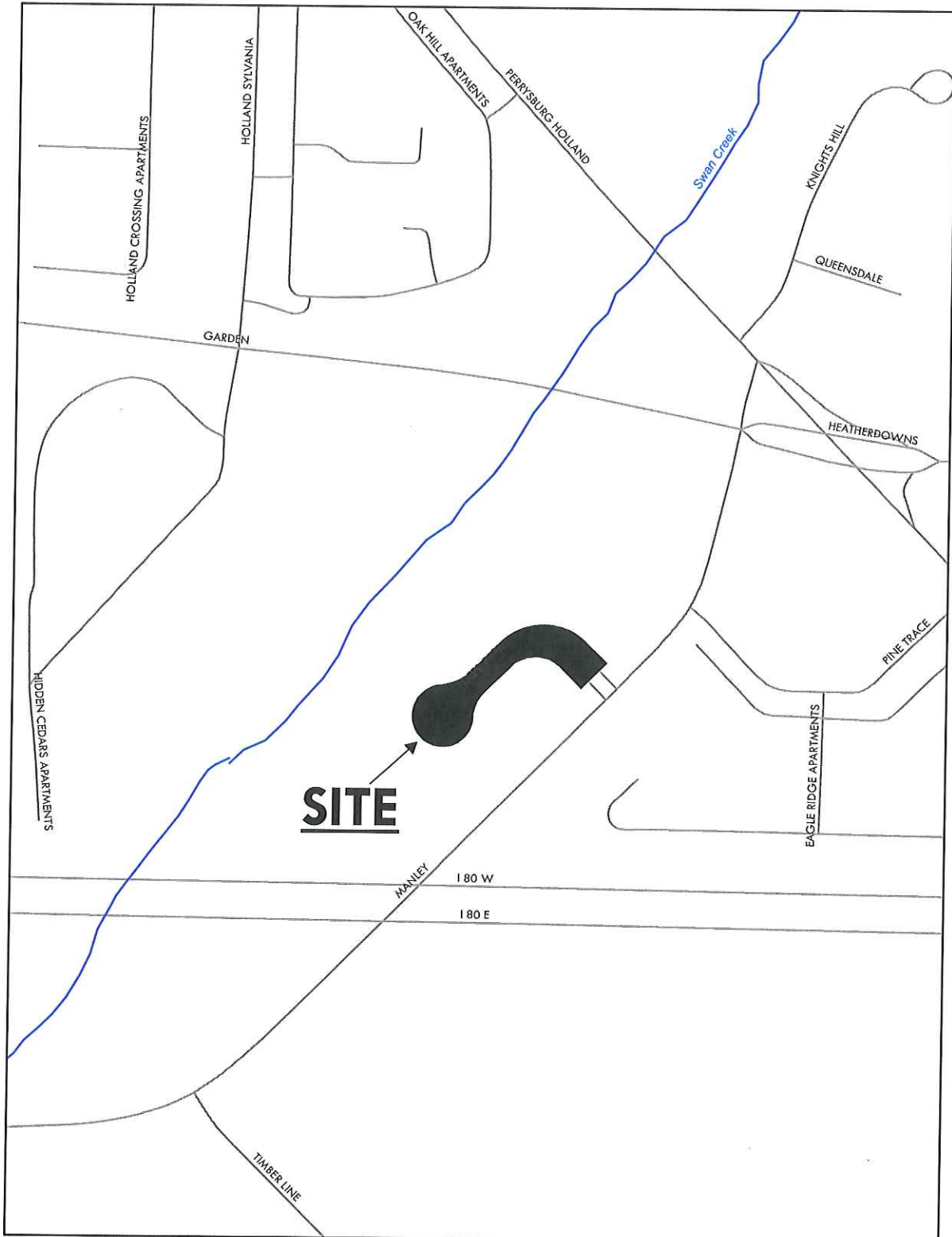
JGL

Two (2) sketches follow

Cc: Applicants
Lisa Cottrell, Administrator
Jonny Latsko, Planner

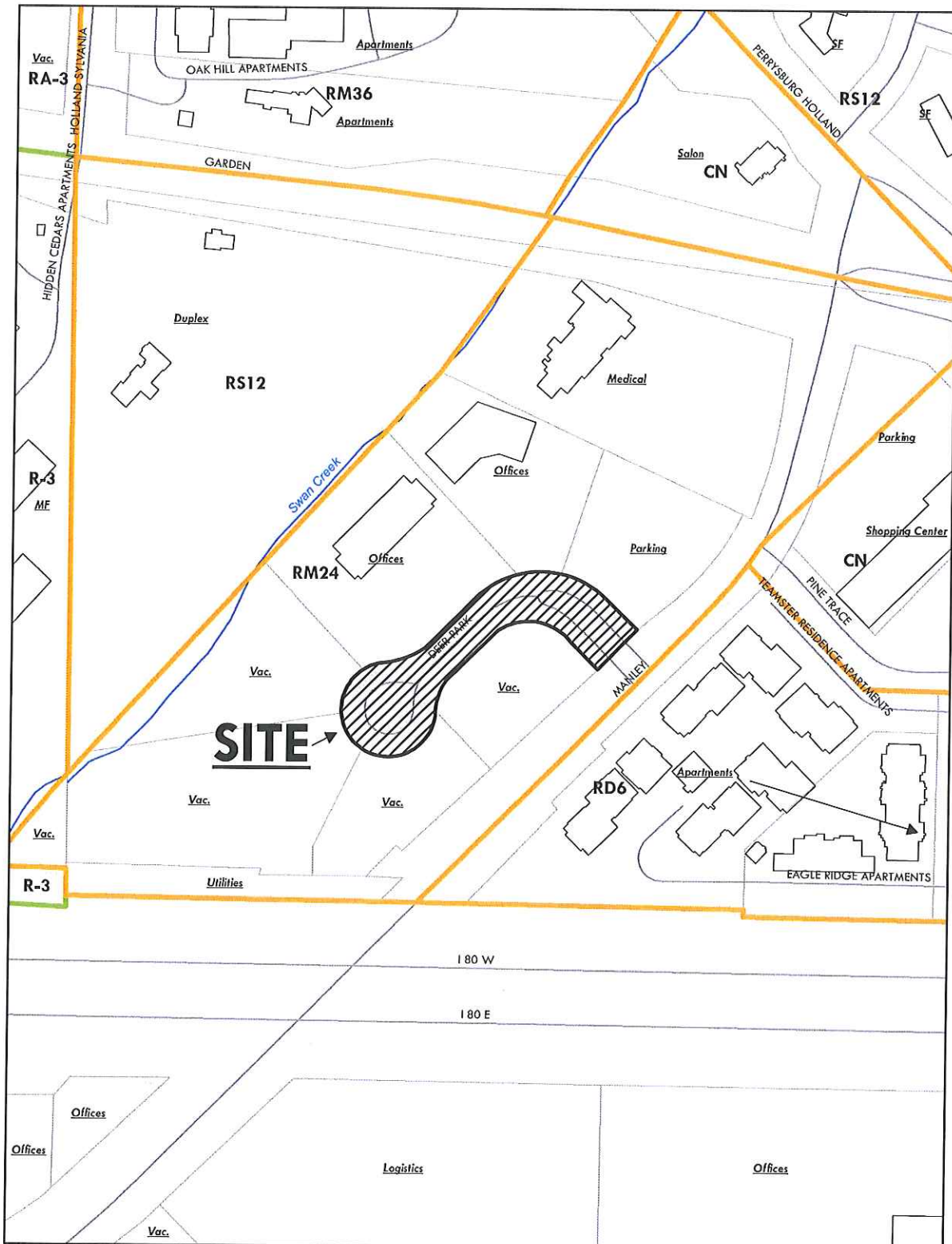
GENERAL LOCATION

V-507-22
ID 232



ZONING & LAND USE

V-507-22
ID 232





KNIGHTS RIDGE

GARDEN RD

S HOLLAND SYLVANIA RD

HOLLAND CROSSING APARTMENTS

HIDDEN CEDARS APARTMENTS

MANLEY RD

BRISTOL RD

EHDOC TEAMSTERS RESIDENCES INC

65 E STATE ST 16TH FLOOR
COLUMBUS OH 43215

GEORGE ORAVECZ

5333 SECOR RD
TOLEDO OH 43623

PROFESSIONAL OFFICES I LIMITED

1909 RIVER RD
MAUMEE OH 43537

COUNCIL MEMBER CHERRY

ONE GOVERNMENT CENTER SUITE 2100
TOLEDO OH 43604

DEER PARK BUSINESS CENTRELTD PT AN OH LT

1909 RIVER RD
MAUMEE OH 43537

V-507-22
JGL Labels